




MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMISSION MEMORANDUM

TO: Mayor Matti Herrera Bower and Members of the City Commission

FROM: Jorge M. Gonzalez, City Manager 

DATE: July 13, 2011

SUBJECT: **REPORT OF THE NEIGHBORHOODS/COMMUNITY AFFAIRS COMMITTEE MEETING HELD ON FRIDAY, JUNE 3, 2011.**

A meeting of the Neighborhoods/Community Affairs Committee was held on Friday, June 3, 2011 at 3:00 pm in the City Manager's Large Conference Room, 4th Floor, City Hall. **Commissioners in attendance:** Mayor Matti Herrera Bower (*arrived at 4:14 pm*), Commissioners Edward L. Tobin, Jerry Libbin (*arrived at 3:45 pm*), and Deede Weithorn. Members from the Administration and the public were also in attendance. Please see the attached sign-in sheet.

THE MEETING OPENED AT 3:05 PM

1. PRESENTATION REGARDING FDOT ALTON ROAD PROJECTS FROM FIFTH STREET TO NORTH MICHIGAN AVENUE. (FINS 249911-1 AND 249911-3). (3:37 PM)

Commissioner Tobin stated that he has reviewed the plans and they seem very aggressive.

Daniel Iglesias, District 6 Project Manager for the Alton Road reconstruction project reviewed the plans for this project. The project includes reconstructing the roadway from right-of-way to right-of-way, new drainage system, new signalization, new lighting, signage and marking, reconstructing the pavement. The project currently involves the inclusion of three (3) pump stations with outfalls to Biscayne Bay as well as new inlets with piping to take care of the drainage and flooding issues. Landscaping will be provided throughout the project and currently the department has plans to advance the drainage improvement project so that it can be built within the next few years. This will include the installation of pump stations at Fifth, Tenth, and Fourteenth Streets in 2013 and the overall reconstruction project will come along a few years after that. Due to changes in the State Statutes, bicycle lanes will be included from 7th Street to Lincoln Road and the remaining portions of the project will include sharrows or shared lane markings. There will also be bulb outs included throughout the project corridor based on comments that were received during the PD&E study.

Commissioner Tobin asked FDOT representatives to meet with the City's Capital Improvements Director.

Commissioner Weithorn asked what the loss of parking will be as a result of this project. Mr. Iglesias stated that there is a loss of ninety (90) spaces throughout the corridor.

Commissioner Libbin arrived at 3:45pm.

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After some discussion regarding bike lanes, Commissioner Tobin suggested the City Administration meet with FDOT regarding this project. Commissioner Weithorn expressed her concern with losing 90 spaces and the plan for a bicycle lane on Alton Road.

Mark Weithorn, Chair of the Transportation and Parking Committee, spoke on his concerns with the loss of parking and its related revenue. He also commented on the danger of having bike lanes on Alton Road instead of West Avenue, as well as his concern with the fact that there are no longer beautiful medians as you enter the City via Alton Road as there were in earlier plans of this project.

Mr. Weithorn added that there is also a loss of parking on side streets. Commissioner Weithorn asked that FDOT get a number on that parking loss also.

Commissioner Tobin confirmed with Assistant City Managers Duncan Ballantyne and Jorge Gomez that they will be working together to work through this project. Mr. Gomez asked for direction in terms of what to explore in the way of options that may include State Statutes. Commissioner Weithorn stated that she wants the Administration to explore everything as she is not happy with what she is seeing and if the City has the possibility of potentially mitigating any of the items that the Committee is unhappy about, she wants it done. Mr. Ballantyne confirmed the areas of concern include the loss of parking, sidewalks, the bike lanes, harmonization when the road is raised, and the lack of shade trees.

Sheryl Gold spoke.

Mr. Iglesias stated that he has and will be working with the Public Works Department and will be taking the concerns raised today to his director.

ACTION: The Committee (Commissioners Tobin, Libbin, and Weithorn present) directed the Administration to go over this project with FDOT, addressing the areas of concern with great detail and provide an update through a Letter to Commission (LTC).

2. DISCUSSION TO REVIEW AND APPROVE THE PROPOSED LOCATION OF THE NORTH BEACH DOG PARK. (3:05 PM)

Kevin Smith, Parks and Recreation Department Director, explained the history on the item.

Hilda M. Fernandez, Assistant City Manager, explained the process that has brought this item to the Committee for its approval of the park's location.

Commissioner Weithorn moved to accept the location of the North Beach Dog Park as recommended with a second from Commissioner Tobin.

ACTION: The Committee (Commissioner Tobin and Weithorn present) moved to accept the location of the North Beach Dog Park as recommended. **(Vote: 2-0)**

3. DISCUSSION REGARDING AN ORDINANCE AMENDING THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 2, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE III, ENTITLED "AGENCIES, BOARDS AND COMMITTEES," BY AMENDING DIVISION 2, ENTITLED "DISABILITY ACCESS COMMITTEE," BY AMENDING SEC. 2-31(D) TO INCREASE THE NUMBER OF MEMBERS FROM SEVEN (7) TO FOURTEEN (14) AND

AMENDING THE QUORUM REQUIREMENT; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE. (3:10 PM)

Commissioner Weithorn explained that she referred this item to the committee to discuss the reason for the requested increased membership of the Disability Access Committee (DAC) and to memorialize the specific roles intended for its members.

David New explained that the reason he has requested an increase in membership of the DAC was to enable the committee to have more information about the departments and certain other committees within the city. This would allow the committee to have a representative at each of the meetings and each of the departments so that information can be brought back to the DAC. Mr. New explained that the DAC members would not be voting members of these committees that they would be reporting on; that they would simply attend and report back to the DAC as to the status of issues, such as CIPOC. This would allow the DAC to address issues early on with regard to any ADA issues.

Commissioner Weithorn asked if the purpose is to have non-voting, but reporting members at meetings; how is this intent put into this ordinance. It is important to specify the intended roles of the members so that in the event a member is not fulfilling their role, they would be able to be removed.

Commissioner Tobin stated that the Legal Department will work on appropriate wording for some specific criteria with Mr. New.

Commissioner Weithorn made the motion to move the item to the Commission pending any changes to the ordinance by the Legal Department Motion seconded by Commissioner Tobin.

ACTION: The Committee (Commissioners Tobin and Weithorn present) moved to send the ordinance back to the City Commission pending any changes by the Legal Department. **(Vote: 2-0)**

4. DISCUSSION CONCERNING THE FLAMINGO PARK NEIGHBORHOOD BECOMING FLORIDA'S MOST PEDESTRIAN FRIENDLY NEIGHBORHOOD. (4:25 PM)

Hilda M. Fernandez, Assistant City Manager stated that there is a request by the neighborhood to defer this discussion.

ACTION: No action; discussion was deferred.

5. QUARTERLY CRIME STATISTICS. (4:26 PM)

Carlos Noriega, Chief of Police, reviewed statistics for the first quarter of 2011 (January 1 – March 31). He stated that there are eleven (11) more incidents this year than last year for the same time period. One highlight this year is that there are no homicides this year as compared to four (4) at this time last year, and that violent crime is down 17.23% when compared to last year.

Major Angel Vazquez reported on crime trends in the City and explained that his division meets weekly to analyze crime trends.

Commissioner Tobin asked to be provided information as to where the burglaries and aggravated assaults are happening by neighborhood and whether they occurred in an apartment, condominium, or single-family home for the next meeting.

ACTION: The Committee (Commissioners Tobin, Libbin and Weithorn present) directed Police staff to provide more detailed information regarding where the burglaries and aggravated assaults are happening by neighborhood and whether they occurred in an apartment, condominium, or single-family home for the next meeting.

6. DISCUSSION REGARDING THE LACK OF ACCESSIBILITY OF THE CITY'S WEBSITE TO THE DISABLED. (3:25 PM)

Gladys Gonzalez, Information Technology Division Director, explained the work that has been done over the last two (2) years to make the City's website ADA compliant. She explained that the City's website is ADA compliant; however, there is another component which is compatibility with the screen reader software.

Hilda M. Fernandez, Assistant City Manager, explained that screen reader software is privately purchased software that is purchased for the purpose of trying to read websites and materials.

Ms. Gonzalez explained that the City plans to issue an invitation to bid to see what companies are out there to evaluate the City's website for compatibility with the top two (2) screen reader software products. The City will seek grant funding.

Ms. Fernandez explained the difference between the website being accessible versus being compatible with software.

David New explained that Miami Beach High School students worked last summer on the accessibility issue utilizing grant funding and that they will be able to work again this summer through funding obtained from the County.

Commissioner Tobin suggested moving this item for a status report in September 2011, allowing time for the Disability Access Committee (DAC) and Gladys Gonzalez to meet and work together on the issue of accessibility and compatibility. Mr. New explained concern with the many documents that are not readable, such as forms and applications, that he hopes will be worked on this summer. Ms. Gonzalez stated that the City's individual departments have identified the top Adobe Acrobat documents on the City's website that are downloaded and the summer interns will be working on those by converting them to a readable format.

Mr. New asked to have the summer interns attend a meeting of the DAC.

Ms. Fernandez explained that the plan is to take the list of the most frequently downloaded Adobe Acrobat documents on the City's website, as developed with the input from the individual City departments, and provide that list to the DAC for their review and comments to ensure that the summer interns are working on the items that are deemed a priority.

Commissioner Weithorn stated that there will be dialogue and meetings between the Information Technology staff and the DAC; however, Mr. New is to advise the Committee if there is a problem and the discussion will come back to the Neighborhoods/Community Affairs Committee (NCAC). Commissioner Tobin reiterated to Mr. New to contact his office if he feels it is necessary to discuss earlier than the September status report at the September NCAC meeting.

ACTION: The Committee (Commissioners Tobin and Weithorn present) directed staff to return to the September NCAC meeting with a status report on the work to improve accessibility and compatibility of the website to the disabled.

7. DISCUSSION REGARDING AN ORDINANCE AMENDING CHAPTER 2, ARTICLE III, DIVISION 26, SECTIONS 2-190.107 AND SECTION 2-190.110 OF THE CITY CODE, ESTABLISHING THE CITY'S COMMUNITY DEVELOPMENT ADVISORY COMMITTEE, TO AMEND THE CITY AFFILIATION REQUIREMENTS FOR MEMBERSHIP ON THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE; PROVIDING FOR REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE. (4:45 PM)

Hilda M. Fernandez, Assistant City Manager, explained the options to be considered and the current makeup of the Community Development Advisory Committee (CDAC).

Commissioner Weithorn added that finding people to be on the committee and then attend the meeting and become engaged is where she has been finding difficulty. She added that the maps that are used to identify target areas are often old; for instance south of 5th Street was considered an area where now you could live at the Continuum and serve on this board, whereas if you were on the board of Unidat but lived outside of this area you would not be eligible to be on this board. She believes that people holding board or community leadership positions should be eligible to be on CDAC.

Anna Parekh, Real Estate, Housing, and Community Development Director, explained that the CDAC is an advisory committee that is convened at the beginning of the Request for Proposal (RFP) process; they review the RFP and its advertisement before they are published, they attend presentations by each of the applicants responding to the RFP, after which they will meet again to allocate the funds fairly and make a recommendation to the Administration on how to allocate the funding. The Administration reviews CDAC's recommendations and makes a recommendation to the Commission for final decisions.

Raul Aguila, Chief Deputy City Attorney, explained the requirements to be on a board, which include living in the City or owning a business for at least six months. He added that this committee has an additional requirement that those members owning a business must own a business in a target area. The proposed ordinance will remove the membership requirement that one must come from a target area and make it more consistent with the rest of the City Code.

Ms. Fernandez explained that the website currently reflects 17 applicants for this board and she suggested as one option to review these 17 to determine their interest and eligibility based on current requirements.

Commissioner Tobin advised the Administration to review other boards and if they are not functioning as they should, to review and contact those on the list without having to come to the Commission.

Commissioner Weithorn stated that she wanted to be able to broaden the pool of applicants that would allow someone on a board of a church or synagogue to be eligible.

Mayor Bower stated that she is willing to compromise with a percentage or a number and that the important thing is the membership needs to be made up of people that care about the welfare of the community. Additionally, those living in the community are best able to express what is happening in the community and what the community really needs.

Mr. Aguila suggested reducing the residency requirement to a certain number of members.

Mayor Bower suggested requiring attendance at presentation meetings.

Commissioner Weithorn agreed with Mayor Bower and stated that she would accept a compromise of 50% of the members must live in the target areas and that she thinks there should be added an inclusion through work to those who have leadership positions in certain agencies.

Ms. Fernandez clarified expanding membership to include those that hold leadership positions in organizations that serve persons that would be eligible for these services; however, they could not be an organization that would receive funding.

ACTION: The Committee moved to have Administration return to the NCAC with its recommendations.

8. DISCUSSION REGARDING THE SAFETY ISSUES WITH THE FUNKSHION FASHION EVENT HELD IN CITY OF MIAMI BEACH. (4:08 PM)

Hilda M. Fernandez, Assistant City Manager, referred the Committee to the LTC included in the agenda package and reviewed the information.

Commissioner Tobin asked how to avoid the problems that the City experienced in the future.

Ms. Fernandez stated that the City will not be authorizing a live event of the nature of what happened earlier this year on public property again. She added that there have been live concerts in the past, such as NASCAR. There is a difference between having an event like that during a down period versus during a major event period where the City's resources are already stretched.

Commissioner Libbin suggested requiring tickets sales go through a ticket management company to limit tickets. There should be a penalty assessed for permits when an applicant has had a problem previously, such as doubling the security deposit.

Ms. Fernandez stated that the City may be able to require an audit of ticket sales prior to an event in order to ensure they are not exceeding permitted capacity load.

Commissioner Libbin asked if the City would have a right to require an applicant to release funds to the City resulting from the sale of tickets exceeding permitted capacity. Jose Smith, City Attorney, stated that if it could be written into the security deposit form.

Commissioner Tobin asked that the Administration provide an LTC addressing recommended solutions for the overselling of concerts. Commissioner Tobin asked to be provided a copy of the document/permit that states capacity and the Standard Operating Procedures that cover how occupancy and load matters are managed.

Commissioner Weithorn stated that the security deposit is insufficient and the City paid for the cost of police that were held over or came in early to deal with issues during this event. She added that she would like to discourage these unseated events, as counterfeiting is not preventable.

Mayor Bower arrived at 4:14 pm.

ACTION: The Committee (Commissioners Tobin, Libbin, and Weithorn present) directed the Administration to provide an LTC addressing recommended solutions for the overselling of concerts.

9. DISCUSSION CONCERNING NOTICING FOR SIDEWALK CAFÉ PERMIT RENEWAL.
(4:25 PM)

Discussion was deferred.

ACTION: No action; discussion was deferred.

THE MEETING ADJOURNED AT 5:04 PM.

Note: The remaining meetings of the Neighborhoods/Community Affairs Committee for 2011 are:

July 7, 2011 (Thursday)

August (No Meeting Scheduled)

September 1, 2011 (Thursday)

October 6, 2011 (Thursday)

November 10, 2011 (Thursday)

December 8, 2011 (Thursday)



JMG/HMF/KT/BH/rfm



MIAMI BEACH

NEIGHBORHOODS/COMMUNITY AFFAIRS COMMITTEE

June 3, 2011

SIGN-IN SHEET

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The Ghost of Christmas Past

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MIAMI BEACH

NEIGHBORHOODS/COMMUNITY AFFAIRS COMMITTEE

June 3, 2011

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